

**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS**

**COMPLETE STATEMENT  
OF  
MICHAEL L. DAVIS  
DEPUTY ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS  
FOR HEARING ON HR 3670 AND  
GREAT LAKES SEDIMENT REMEDIATION**

**BEFORE THE  
SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT  
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

**10:00 AM, APRIL 12, 2000  
ROOM 2167, RAYBURN HOUSE OFFICE BUILDING**

---

**INTRODUCTION**

Mr. Chairman, members of the Subcommittee, I am Michael L. Davis, Deputy Assistant Secretary of the Army for Civil Works. I am accompanied by Mr. Jan Miller of the Great Lakes Center of the Great Lakes and Ohio River Division. Mr. Miller is the manager of Corps programs for supporting Great Lakes Remedial Action plans. I want to thank you for the opportunity to testify on the subject of Great Lakes Sediment Remediation and Corps activities related to the management and remediation of contaminated sediments in the Great Lakes.

**BACKGROUND**

Sediment contamination is a problem at many of the Nation's waterways, including many of the Federal navigation projects in the Great Lakes. The presence of contaminated sediments negatively affects the environment and has increased the costs of channel maintenance. In some cases, it has limited our ability to perform maintenance dredging. The Corps has developed a wealth of experience in the management of contaminated sediments through our navigation dredging activities. This expertise has been utilized by the Environmental Protection Agency (EPA), other Federal agencies, State and local governments in the remediation of contaminated sediments at Great Lakes Areas of Concern. The Corps stands ready to continue to support the EPA in implementing its programs for remediation of Great Lakes contaminated sediments, and will work with the EPA and other Federal, State and local agencies to apply our cost-shared programs which can address contaminated sediment problems in the Great Lakes and throughout the Nation.

**SEDIMENT REMEDIATION ACTIVITIES OF THE CORPS OF ENGINEERS**

The Corps of Engineers has worked in partnership with the EPA since the days

of its predecessor, the Federal Water Pollution Control Administration, to manage contaminated sediments in Great Lakes harbors and channels in an environmentally responsible manner. In the late 1960's, the Corps worked with the Water Pollution Control Administration on a 2-year pilot program on disposal alternatives for contaminated dredged material from Great Lakes harbors. The Corps evaluated treatment technologies and constructed prototype confined disposal facilities (CDFs) specifically for contaminated sediments.

Confined disposal in a landfill or confined disposal facility is the most widely used alternative for managing contaminated sediments, whether dredged for navigation or environmental remediation. In the Rivers and Harbors Act of 1970 (Section 123, as amended), Congress authorized a program for the construction of CDFs for contaminated sediments dredged from Great Lakes navigation channels. The Water Resources Development Act of 1996 (Section 201) included a national authority for CDFs. Under these and other authorities, the Corps has constructed 44 confined disposal facilities to serve Great Lakes navigation projects. Over 60 million cubic yards of contaminated sediments have been safely managed at these structures in accordance with Federal and state environmental laws and regulations. We believe that the dredging and confined disposal of contaminated sediments from Federal navigation channels has contributed significant environmental benefits to the Great Lakes. Contaminated sediments have been dredged from navigation channels at 12 of the 31 Great Lakes Areas of Concern and placed in CDFs. The proposed construction of new CDFs at three other Areas of Concern are vital elements of their remedial action plans.

The Corps has worked closely with the EPA to evaluate and enhance the performance of Great Lakes CDFs. This has included collaborative monitoring studies, development of contaminant mobility and transport models, and demonstrations of technologies for treating sediment contaminants and reclaiming clean soil from CDFs. Our agencies are currently working together on a report to Congress which will summarize the status and performance of Great Lakes CDFs.

The Corps has supported Federal, State and local agencies around the Great Lakes in the remediation of contaminated sediments through reimbursable support and cost-shared programs. The Corps has provided technical support to the EPA Regions at a number of Superfund sites with contaminated sediments. The Corps has also supported the EPA's Great Lakes National Program Office in implementing the Assessment and Remediation of Contaminated Sediments (ARCS) program. This support included demonstrations of sediment treatment technologies and development of guidance documents on sediment remediation technologies.

The Corps is providing technical support to the U.S. Fish and Wildlife Service and the State of Michigan for the dredging and disposal of contaminated sediments from the Saginaw River as part of a settlement under the Natural Resources Damage Recovery program.

The Corps has supported State and local agencies with the evaluation and design of sediment remediation alternatives at six Areas of Concern under the Great Lakes Remedial Action Plan and Sediment Remediation authority of the Water Resources Development Act of 1990 (Section 401, as amended). The Corps is currently conducting detailed design of a sediment remediation plan for the Ashtabula River under the Environmental Dredging authority of the Water Resources Development Act of 1990 (Section 312, as amended), and is conducting reconnaissance studies on sediment remediation at another five Great Lakes Areas of Concern.

The Corps is also helping State and local governments with the control of sediment contamination at the source. Corps districts have developed sediment transport models for Great Lakes tributaries under the authority of the Water Resources Development Act of 1996 (Section 516) to evaluate nonpoint source pollution prevention and soil conservation alternatives. The Corps is also supporting the State of Indiana with the development of Total Maximum Daily Loads for the Grand Calumet River under the Remedial Action Plan assistance program.

#### **H. R. 3670**

We appreciate the opportunity to review H.R. 3670 and Congressman Oberstar's efforts to address the problem of contaminated sediments in the Great Lakes. Maintaining safe, reliable, and economically efficient navigation channels depends upon our ability to responsibly manage contaminated sediments. H.R. 3670 will help address the need to improve water and sediment quality within the Great Lakes, including areas where the Corps has navigation responsibilities. We generally support H.R. 3670 and will defer to EPA for more detailed comments since the bill is principally directed at that agency.

## **CONCLUSION**

Our experience on the Great Lakes indicates that source control and remediation of in-place contaminated sediments require the collaboration of agencies at all governmental levels in order to succeed. In addition, the Corps will continue to assist with US-Canada Technical cooperation, including in the IJC, to help both countries achieve cost-effective solutions for Great Lakes contaminated sediments. The Corps stands ready to support the EPA in the implementation of its programs for Great Lakes sediment remediation, and will work to apply our cost-shared authorities for sediment remediation in concert with the EPA. Mr. Chairman and members of the Subcommittee, that concludes my testimony. Mr. Miller and I stand ready to answer any questions you might have.